**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR**

**WEDNESDAY, THE 2ND AUGUST 2006 / 11TH SRAVANA 1928**

**OP.No. 3160 of 2002(A)**

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**PETITIONER:**

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**KUNJACHAN, KATHANAKKAL KONATHCHERUVILA VEEDU, ERANOOR, VETTIKAVALA,KOTTARAKKARA TALUK, KOLLAM.**

**BY ADV. SRI.VINOY VARGHESE KALLUMOOTTILL**

**RESPONDENTS:**

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1. **DISTRICT COLLECTOR, KOLLAM.**
2. **SUB REGISTRAR, SUB REGISTRY OFFICE, KOTTARAKKARA.**
3. **DEPUTY THAHSILDAR (RR), TALUK OFFICE, KOTTARAKKARA.**

**BY GOVERNMENT PLEADER SRI. VIJU THOMAS**

**THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 02/08/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**ORDER ON CMP. NO.5760/2002 IN OP. NO.3160/2002**

**DISMISSED**

**2.8.2006** **SD/- C.N.RAMACHANDRAN NAIR, JUDGE**

**APPENDIX**

**PETITIONER'S EXHIBITS**

**EXT.P1:- COPY OF THE SALE DEED OF THE SUB REGISTRY OFFICE, KOTTARAKKARA.**

**EXT.P2:- COPY OF THE RR. NOTICE DT.23.11.01 ISSUED BY DEPUTY TAHSILDAR.**

**/TRUE COPY/**

**tss**

C.N.RAMACHANDRAN NAIR,J.

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O.P.NO. 3160 OF 2002

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Dated this the 2nd day of August, 2006

JUDGMENT

District Registrar, Kollam is impleaded as addl. respondent.

2. The order under challenge is recovery proceedings for recovery of differential stamp duty demanded by the District Registrar. Petitioner has not made the District Registrar a party in this proceeding. In the circumstances, O.P. is disposed of with direction to the District Registrar, Kollam, to complete the ajudication after conducting enquiry and after hearing the petitioner. Petitioner will produce copy of this judgment before the addl. respondent, who will call for report and records from the second respondent, give an opportunity of hearing to the petitioner, complete the adjudication and issue orders giving reasons thereof within a period of three months from the date of production of a copy of this judgment by the petitioner. Recovery proceedings will remain stayed for six months from now. Recovery thereafter will be based on the order to be issued by the District Registrar, or District Collector, as the case may be. If petitioner has any

grievance against the order to be passed by the District Registrar or District Collector, he can file appeal before the District Court.

(C.N.RAMACHANDRAN NAIR)
Judge